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C O N F I D E N T I A L SECTION 01 OF 02 KUWAIT 000637

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FOR NEA/ARP

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TAGS: [PGOV](#) [PTER](#) [PINR](#) [GTIP](#) [KTFN](#) [KHUM](#) [KU](#)
SUBJECT: AMBASSADOR DISCUSSES TIP AND RIHS DESIGNATION WITH
NEW MINISTER OF SOCIAL AFFAIRS AND LABOR

REF: A. STATE 57481 B. STATE 59117 C. STATE 48113 D.
KUWAIT 556

Classified By: Ambassador Deborah K. Jones, for reasons 1.4 (b) and (d)

11. (C) SUMMARY: The Ambassador's introductory meeting June 3 with newly appointed Minister of Social Affairs and Labor (MOSAL), Bader Al-Duwaila, coincided with the planned June 4 release of the 2008 TIP report and Kuwait's downgrade to a Tier 3 ranking. Ambassador urged immediate action to meet Kuwait's stated commitments under the TIP action plan to protect expat labor. Al-Duwaila affirmed his commitment to bringing Kuwait in line with international standards, to include TIP legislation with harsher penalties for offenders. Ambassador advised Al-Duwaila of June 3 UNSCR 1267 designation of the Revival of Islamic Heritage Society (RIHS). Al-Duwaila challenged the evidence for RIHS connections to terrorism and said political hurdles would make it difficult for the GOK to support a designation absent compelling evidence. END SUMMARY.

RELEASE OF 2008 TIP REPORT

12. (C) Ambassador met June 3 with newly appointed Minister of Social Affairs and Labor, Bader Al-Duwaila, to brief him on the June 4 release of the 2008 TIP report and Kuwait's downgrade to a Tier 3 ranking (Ref A). Ambassador noted that the exploitation of human labor capital was a global challenge we all faced; nonetheless the treatment of domestics and others in Kuwait was egregious and did not comport with the compassionate face of Islam she had also experienced throughout a long career in the region. Surely Kuwait did not wish to be known for its abuse of laborers and domestics. Ambassador explained that lack of progress on stated commitments by the GOK led to the latest Tier 3 ranking including establishing a permanent shelter for trafficking victims, enacting already-drafted anti-trafficking legislation, providing trafficking-related training to law enforcement, prosecutors and judges and providing evidence of increased investigations, prosecutions and convictions of TIP-related crimes.

13. (C) Al-Duwaila replied that he and the GOK understood and shared USG concerns. Noting that he had lived in the US and UK for more than a dozen years, the minister said "I know how you value and protect the worker; these are human beings trying to feed their families. We must do more to protect them." Al-Duwaila, a lawyer by training, said existing Kuwaiti law had a number of statutes and regulations that addressed TIP-related crimes and that he had instructed his ministry to draw on both Kuwait's UN obligations and existing law to come up with a unified code that contained clearer guidelines and harsher penalties. (NOTE: Kuwait has an already-drafted anti-trafficking law that was sent to the Council of Ministers for approval prior to the dissolution of

Parliament.) The minister concluded "Kuwait is a civilized country and we don't want to be behind others on this issue."

RIHS 1267 DESIGNATION

¶4. (C) Ambassador also advised Al-Duwaila, whose ministry oversees charitable institutions, of pending UNSCR 1267 designation of RIHS (Ref C and D). Al-Duwaila asked whether the USG had shown evidence to the GOK that tied RIHS to terrorism. Ambassador noted a substantial body of evidence has been exchanged with the GOK over the past two years on RIHS' activities. Al-Duwaila said RIHS is a well-known charity institution and not affiliated with any terrorist organization; its board members were well known for their clear stances on this issue. While admitting he was new to the portfolio, he said he doubted the GOK would fail to act if compelling evidence were presented. Pointing out that six of the new MPs were affiliated with RIHS, on its board or otherwise, he said it would be difficult to take any action without substantial proof of RIHS' illegal activities and/or terrorist links.

BIO NOTE

¶5. (C) Bader Al-Duwaila was named Minister of Social Affairs and Labor by the Amir on May 28 and took the oath of office on June 1. He has no previous government experience. Al-Duwaila was born in 1959 and graduated from Kuwait

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University in 1980. He received a Masters degree in law from the University of Miami and also attended San Diego State University (dates unknown). Al-Duwaila returned to Kuwait two years ago after spending 13 years in London practicing law (representing Kuwait in legal cases). Duwaila's brother, Nasser Al-Duwaila (non-affiliated), was elected to the new Parliament on May 17. Al-Duwaila has four children ages 23, 21, 19 and 12.

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